

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

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VOLUME II OF THE VIDEOTAPED
DEPOSITION OF ROGER OLSEN, PhD, produced as a
witness on behalf of the Defendants in the above
styled and numbered cause, taken on the 11th day of
September, 2008, in the City of Tulsa, County of
Tulsa, State of Oklahoma, before me, Lisa A.
Steinmeyer, a Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the
State of Oklahoma.

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I N D E X

W I T N E S S

P A G E

ROGER OLSEN, PhD

Cont. Direct Examination by Mr. George 300

Direct Examination by Mr. McDaniel 426

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1 think related to the metals being mobilized with the
2 organic carbon and staying in solution and not being
3 attenuated.

4 So your question was how many of these are
5 conservative. Potassium, TS, two, magnesium, three, 05:29PM
6 most of the phosphorus, four, five, six, a little
7 attenuation there. So in my opinion, there's five
8 or six that are very conservative but not -- you can
9 never say anything is an exact conservative element,
10 and the rest of them, you know, have some 05:29PM
11 attenuation but in my opinion not to affect the
12 overall evaluation of their transport throughout the
13 basin.

14 Q In fact, your principal component analysis
15 assumes that they're all conservative, doesn't it? 05:29PM

16 A No.

17 Q Specifically how did you account for the
18 differences in fate and transport via surface water
19 pathways as compared, for instance, to groundwater
20 pathways? 05:30PM

21 A I didn't have to in the principal component
22 analysis. It gives me a chemical analysis at a
23 particular spot, and if I still see the constituents
24 and it has a particular score, then it's impacted.
25 It can be certainly, as we talked about this 05:30PM

1 morning, diluted. It can be attenuated, but as long
2 as they're still there, it doesn't matter. So it's
3 a conservative, maybe considered conservative, but
4 we're looking at individual samples and individual
5 locations and see what we have there, so you don't
6 have to account for the fate and transport.

05:30PM

7 Q Now, from what I've heard, your testimony
8 primarily with Mr. George, to look at how this --
9 your poultry fingerprint primarily described on
10 Figure 6.11-18C where you've drawn the two areas,
11 you have cattle, edge of field samples that show
12 up -- I know they're not on this chart but they show
13 up within the poultry signature. You've got water,
14 residence water wells that show up in the sewage
15 signature. You've got Tahlequah samples where
16 there's no poultry that show up as poultry impacted.
17 Did it ever occur to you, Dr. Olsen, that the
18 problem is not in the watershed, it is that your
19 fingerprinting methodology is flawed?

05:31PM

05:31PM

20 A Those are anomalies that we try to explain,
21 and there's always going to be some minor anomalies
22 in my opinion. Those are minor for the hundreds and
23 hundreds of samples that we have in the whole
24 analysis. So I don't think the analysis is flawed
25 at all.

05:32PM

05:32PM